

**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE--EXAMINING GROUP 2618**

Attorney Docket No. 9314-59

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: VanEpps, Jr. et al.
Application No.: 10/723,776
Filed: November 26, 2003

Group Art Unit: 2618
Confirmation No.: 9674
Examiner: Christian A. Hannon

For: **METHODS, ELECTRONIC DEVICES, AND COMPUTER PROGRAM
PRODUCTS FOR GENERATING AN ALERT SIGNAL BASED ON A SOUND
METRIC FOR A NOISE SIGNAL**

Date: May 23, 2007

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

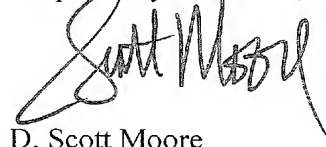
Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated February 23, 2007, at least twice rejecting or finally rejecting claims 1, 4-17, 20-25, 28-32, 35-38

- ☒ Please charge Deposit Account No. 50-0220 in the amount of \$500.00 for the Appeal fee as provided by 37 C.F.R. § 41.20(b)(1).
- ☐ Please first reapply any previously paid notice of appeal fee and appeal brief.
- ☐ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.
- ☒ Also enclosed: Pre-appeal brief request for review; Reasons in support of applicant's pre-appeal brief request for review
- ☒ The Commissioner is authorized to charge any additional fees that may be required or credit any overpayment to Deposit Account No. 50-0220.

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. **54414**

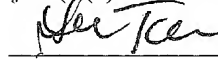
Respectfully submitted,



D. Scott Moore
Registration No.: 42,011

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on May 23, 2007.


Amelia Tauchen